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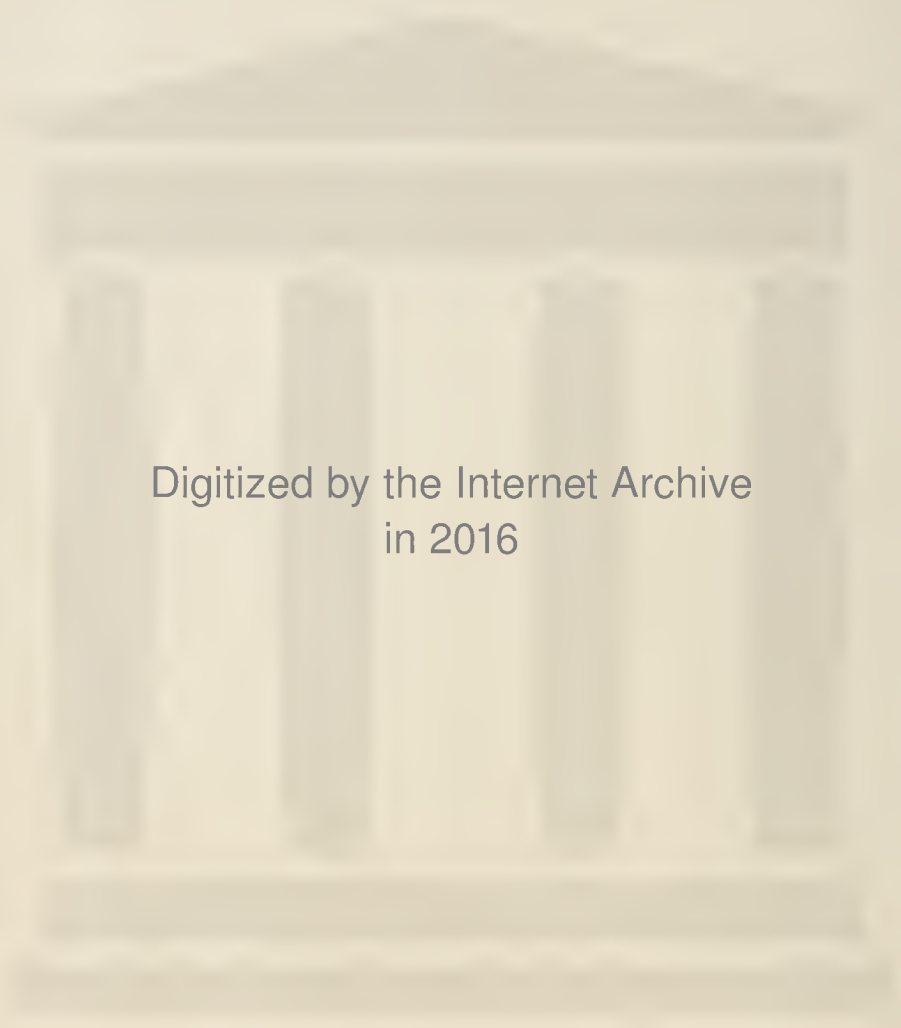
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ANNUAL REPORT

OF THE

BOARD OF GAME COMMISSIONERS

OF THE

STATE OF PENNSYLVANIA

INCLUDING A

REPORT OF THE CHIEF GAME PROTECTOR
TO THE COMMISSION

FOR

THE YEAR 1915

HARRISBURG, PA.:
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1915-26

REPORT OF THE BOARD OF GAME COMMISSIONERS

Harrisburg, Pa., January 6th, 1916.

To His Excellency, Martin G. Brumbaugh, Governor of Pennsylvania:

Sir: As required by Act of Assembly, we, the undersigned members of the Board of Game Commissioners for the State of Pennsylvania, herewith make report of the work done under our direction during the year 1915, and of conditions as we find them, together with the reasons for such conditions. The conclusions arrived at and herein reported are based upon reports received from many directions throughout the Commonwealth, from the report of our Secretary to us, a copy of which is herewith attached, and from personal observation.

STATUS OF GAME.

Game-birds, such as wild turkeys, ruffed grouse and quail, together with rabbits and squirrels, appear to have been plentiful in certain sections of the State, while in other sections wherein these birds and animals heretofore have been found in reasonable numbers, they appear to be scarce or very much diminished, these conditions considered together satisfying us that neither game-birds, excepting turkeys, the increase of these birds being directly attributable to the closed season of two years and the better protection accorded through additional Sanctuaries and the increase of our force of paid Game Protectors, nor the smaller game animals, except squirrels, which is due to the later open season for these animals, have perceptibly increased during the past year and are now in the condition where if they are to be preserved from absolute extinction, changes in our present laws should be made. You understand fully that when any species of game-birds or animals become from any cause reduced in numbers beyond a certain reasonable number, according to the territory in which they may be found, it is exceedingly hard for them, because of severe winters and consequent starvation, heavy rains in the springtime, forest fires, their many natural enemies, and men with guns, etc., to recuperate; when you know that we have more than four hundred thousand (400,000) hunters annually in this Commonwealth, when we consider the improved fire-arms in use, expert marksmanship acquired through practice at the traps, and the means of rapid transit as provided by automobiles and good roads, we are led to wonder

how game birds of any kind can exist, much less increase, and we firmly believe that none will exist for any lengthy period if our present six-weeks' open season for birds is not shortened.

We feel that because of reduced numbers in the ranks of our game-birds and animals, and the increased number of hunters, the day has passed when game of any species can be considered as a fixed source of food supply for any class of our people, either those who may reside on the borders of our wild land where game may be easily taken, or those residing in other parts of the State where heretofore game has been secured through the markets.

GAME SANCTUARIES.

For your information we desire to say that in our opinion the Game Sactuary such as we have created and maintained in this State, is the most important, if not the only method, through which game may be maintained and increased in this or any other Commonwealth.

We feel that game as an incentive to outdoor exercise and recreation should be maintained and that as far as possible this game should be brought as near the home of the laboring man as is possible, and with this end in view, we are establishing, wherever possible, either upon State lands, or by lease upon private lands, as is permitted by law, such Game Preserves or Sanctuaries, wherein game may find peace and safety and because of this condition increase to the fullest extent and overflow onto adjoining lands, where it may be taken by the people under the provisions of law. These Preserves are not inclosed by an impassible barrier of any description, but instead are surrounded by a single wire stretched about waist high to a man, a fire line from which the brush has been cut, over which our officer travels, and from which fires may be met and extinguished, and a line of notices printed on cloth and conspicuously posted, calling the attention of the one who reads to the purpose for which the Sanctuary was created, asking him to keep out and to help us to keep others from trespassing on said land, the three together, the fire line, the wire and the posters being simply notices to men and in no way interfering with the going or coming of game of any kind, or with the taking of game outside the wire in open season.

An experience of years satisfies us that the Game Sanctuary as created in Pennsylvania and tested during the past ten years is the true and only solution of the game proposition, and with this thought in mind we are doing all in our power to not only create public Sanctuaries, but also to encourage private Game Preserves, through which not only a supply of large game such as elk and deer may be

supplied to the owner of such preserve and their friends, but also to many others through the agency of the markets, in this way reducing the demand for wild game, and in addition providing in this way a refuge in addition to the public Sanctuary, in which wild birds of all descriptions, because of the extermination of vermin in such places, may hatch and raise their broods in peace and safety, and overflow into surrounding territory, game birds to the benefit of those who may hunt, song and insectivorous birds through their life-work to the benefit of all the people.

Immediately upon the creation of our first Sanctuaries in 1905 they were stocked with game of various kinds, especially deer and wild turkeys, and several of them later on with elk and fox squirrels. Vermin of various kinds, wild cats, foxes, weasels, certain hawks and owls, and crows, were systematically destroyed, with the result that a most decided and marked increase of game and wild birds has been secured in these places. The big buck as well as the little buck is safe inside these wires; animals of various kinds appear to realize what the wire means to them and many reports come to us of where deer or bear, started three or four or even six miles from one of these havens of refuge, rush straight away for the protected area.

These Preserves are under the care of a keeper during the entire year. This keeper resides near the line outside the wire, and it is his duty to look out for and extinguish forest fires, not only inside the preserve, but also in that neighborhood; he traps and destroys vermin, feeds the game when because of deep snows such action is necessary, investigates violations of the law that may come to his attention either by observation or through report, makes arrests and makes a monthly report under oath to the office at Harrisburg of all work done. During the open season for deer the keepers of the preserves are assisted in their work of guarding the preserve by the regular paid protectors from various parts of the State where deer are not found, detailed for that work by the office, three or more men being located in various camps around each preserve. We have also received for the past several years valuable help from the State Police in this matter, details of men being given us whenever that was possible.

We at this time have fourteen Game Preserves in Pennsylvania. Eight of these preserves have been established within the last year. These preserves are located as follows: The first one in the southeastern portion of Clinton County; the second one in the Northwestern portion of Clearfield County; the third in the Southeastern portion of Franklin County; the fourth in the Southwestern portion of Perry County; the fifth in the southeastern part

of Westmoreland County; the sixth in the eastern part of Centre County; the seventh in the southeastern portion of Potter County; the eighth in the eastern portion of Lycoming County; the ninth in the northeastern part of Huntingdon County; the tenth is located in the Northern part of Carbon County; the eleventh in the Southern part of Lackawanna County; the twelfth in the southwestern portion of Bradford County; the thirteenth in the southern part of Sullivan County, and the fourteenth in the northwestern part of Cameron County. All of these Game Sanctuaries, except those in Carbon, Bradford, Sullivan and Cameron Counties, are located on State Forestry Lands, the remaining four being located on leased lands, leased under the provisions of the Act of April 9th, 1915.

WILD BIRD PROTECTION.

We recognize the fact that while the presence of game is a matter of great importance, because of the benefit that comes through the manipulation of guns, the benefit of recreation, the experience secured through tramping and camping, the information of a general character derived through the intermingling of sportsmen with the people of various locations in the State, we also consider that the value of the life-work of our birds of all species is of a still greater value and that these several interests joined together create a subject of interest second to none in the Commonwealth, and our officers are directed to enforce the law relating to birds other than game-birds in the same manner as they enforce the law relating to game of any character, in a reasonable and fair manner, always considering the spirit and intent of the law, and we believe this is being done in a manner that is not only creditable to our protectors, but that is also, through an increase of our song and insectivorous birds, resulting in great benefit to the Commonwealth.

RESTOCKING.

Because of the reckless and wasteful manner in which the game of the various States of this nation was being destroyed, especially by men hunting for the markets, it years ago became evident to every one who chose to investigate, that unless something was at once done to stop such wasteful killing, there would soon be no game to kill. Migratory birds were followed up and down the continent, just as the buffalo and wild pigeon were followed by men killing for the market; native birds were shot wherever found and sold by both the traveling and the resident market hunter, and the various States of this Union were driven into the enactment of laws tending to protect their game. Among these is that law forbidding the ship-

ment of game, except in limited numbers and under certain restrictions, out of any State. The National Government to aid the States in this matter passed a law known as the Lacey Law, requiring those who shipped game from one State to another to so mark the package, that its contents could be readily determined from an outside inspection of the package. Later on an act was passed by Congress giving to the Department of Agriculture the right and power to make rules and regulations controlling the killing of migratory birds, either game or otherwise, fixing the season when migratory birds might be killed, or to say that such birds should not be killed at all, if such action, in the minds of those having the matter in charge, appeared necessary, so that today it is impossible to get birds, such as wild turkeys, or ruffed grouse, or quail, known as non-migratory birds, from any State in this Union even for propagating purposes.

By reason of numerous reports coming to us from various directions in this Commonwealth, we became satisfied that unless our stock of quail could be replenished from outside the State, it would be necessary to declare a close season for a term of years on quail, with the result of such closing quite questionable, as we know that up to this time but few people other than sportsmen ever do much in the line of feeding starving quail, and considered that if the interest of sportsmen in these birds was taken through a close season, when the snows came there would be no friend to carry grain to them, and many if not all would die. In the hope of avoiding this test of a close season we cast about for quail outside the United States, and discovered that many quail were found in Mexico, some of them living at an altitude about as in Pennsylvania, with temperature nearly as cold. We imported a few of these birds one year ago, and released same where we could note their action. We found their increase equal that of our native quail, that they were hardy and able to withstand our climate, and that they were not migratory, and decided to secure, if possible, ten or more thousand of these quail and to secure the very best results decided to send an agent direct to Tampico, Mexico. We were warned by the National Government to look out for disease, that if once introduced might destroy our few native birds, and have been careful in this respect, keeping in touch with the Department of Animal Industry at Washington and with our own State Veterinarian Department. We have received one shipment of quail from Mexico; quite a number of these birds died quickly after their arrival here, these birds were sent to both Washington and to our State Veterinarian, and from both came the report that lesions found in the intestines and livers of the birds examined indicate the presence of the dread disease "Coccidiosis", and we greatly fear that our best endeavor in this direction is doomed

to defeat, and are reporting to you at length so that you may fully understand what we have tried to do and if we fail, know why we have failed. .

Quite soon after the creation of the Game Commission in 1895, it was discovered that deer and bear were fast disappearing in Pennsylvania, and that elk once found plentiful were absolutely extinct in a wild state, and an effort was directed to the securing of legislation that would give these game animals a chance, and laws were passed forbidding the use of dogs in hunting deer, the killing of deer in the water, the killing of deer through the use of buckshot. A law was passed making it unlawful for any one man to kill more than one deer in one season, this one deer being in every instance a male deer with antlers visible above the hair. It is a well-known fact that deer reach the age of puberty and are able at about fifteen months to procreate, and the law passed by the last Legislature and signed by Your Excellency, fixing the open season for deer during the first two weeks of December, was intended, in addition to the protection accorded men by the absence of leaves, to give the male deer the chance to accomplish the full purpose of nature in serving does, before he was exposed to the fire of the riflemen. The rutting season for deer in this State begins about the time of the light of the moon in October and continues to the 1st of December, and the buck killed in December has surely left progeny behind.

Just as soon as our laws were right, and our deer could not be legally killed during the first fall of the year in which they were introduced and we had money to use for this purpose, we began the creation of Sanctuaries as described elsewhere in this Report, and started to purchase deer from States that would permit their shipment. During the winter of 1906-7 we stocked the preserves in Franklin and Clearfield Counties with deer, placing about twenty-five in each; in 1912 we brought fifty elk from the Yellowstone Park country and twenty-two from a private preserve in Pike County, Pa.; the same year we purchased and released ninety-eight deer from a private preserve in Clearfield County. The deer released in 1913 and in 1914 were placed in counties that have under the provisions of law been closed for a term of years. They are increasing rapidly and when the close season is ended will provide good deer hunting in counties wherein no hunting has been enjoyed for fifty or more years. The elk introduced have increased fairly well, not as rapidly as the deer because the increase is usually one each year instead of two or more as is the case with deer. Our deer appear to be increasing rapidly in all parts of the State where deer are now found, and will continue to increase to the great benefit of the people, if given the opportunity. We have at least 8,000,000 acres of rough

land in this State, well adapted to the raising of deer and we see no reason why deer should not be released in such localities, and with that idea in view expect to bring into Pennsylvania and release at least one thousand (1,000) deer and seventy-five (75) or more elk this Spring.

RING-NECK PHEASANTS.

In the matter of our effort to try out the Ring-neck pheasant in this State, we desire to make report that the birds secured, about one thousand in number, were released last Spring in various places in the southern and central counties, where we believed they would receive care and attention at the hands of men, where there would be as little snow as possible and where they would be as free from attacks by vermin as they could be anywhere in the State. The birds were placed under the control of sportsmen, who promised to care for them and make report to us of conditions as the year progressed. We are now receiving many letters regarding the increase of these birds, and the reports are quite gratifying, many covies containing from four to twelve young birds in each covey having been seen. In some sections the birds released last Spring have apparently deserted that locality. From other sections in which no birds were released the presence of Ring-neck pheasants are reported. Some of the old birds released were killed quickly in various ways, some by dogs, some by farm machinery, while the reaper, the mower, and the hay-rake destroyed many nests; many were lost in other ways, still the reports now being received indicate that there has been a decided increase and that we have several thousands of these birds in this State at this time. Our reports show that fully six hundred (600) of these birds were killed legally by hunters during the open season just passed. From data collected regarding the feeding and roosting habits of Ring-neck pheasants, we are satisfied they are strictly ground feeders and not "budders", as are our ruffed grouse and turkeys, and that they must starve when the deep snows come, unless they are artificially fed and cared for by men, and are not likely for these reasons to increase in a wild state. The presence of deep snows with sleet and ice for a continued period will settle the possibilities of these birds in this State, as they have in every other State, where snow and ice covers the ground for any lengthy period, still we believe that if the Ring-neck pheasant will multiply in this State during the summer time and mature birds can be secured from breeders at a reasonable price, say \$2.00 or \$2.50 per bird, it would be a display of good judgment to release a few thousand of these birds each spring, sportsmen being permitted to kill such birds as may be secured, with their increase, each fall during the open season

and repeating this procedure each year, fully understanding that in no State in this Union excepting Western Oregon have these birds become a part of the fauna of that State. If a pair of mature Ring-neck pheasants cost \$5.00 and the increase was but eight young, ten birds would be provided for shooting purposes at a reasonable cost to the men who furnished the money for this very purpose; if more than eight young birds were produced by each hen, or some of the birds through feeding and special care were enabled to survive the winter, we would be just that much ahead. We are, therefore, disposed to release more of these birds next Spring.

DAMAGE TO TREES AND CROPS.

During the past years various claims for damages sustained through the action of game of various kinds have been presented to the Game Commission for adjustment. Our Secretary reports to us that he has investigated wrongs of this kind as reported, and that while in some cases serious and undoubted harm has been done by wild creatures, in the majority of cases but slight damage, if any, had been done, and suggests that some action be taken through which the one who really suffers from this cause may be paid in full for damages sustained.

Experiences teaches us that it is the disposition of many to attribute losses sustained to causes that will to the greatest extent relieve the claimant of responsibility and to place that responsibility upon somebody from whom the greatest possible return may be expected. An orchard is planted, the soil is not adapted to the tree planted, the trees are scalded by the sun in the west, borers are in the trunks, sometimes the trees stand in water for months at a time, mice and rabbits get in their work, now and then the cattle get into the orchard and feed for a while on the succulent branches, many of the trees show they have been seriously scraped by the whiffletree of the plowman or cultivator, but these mean nothing to the owner, because he alone is responsible; let a deer or even a deer track be seen in that orchard and the whole aspect changes, the entire orchard is ruined and the deer did it, they belong to the State and the State must pay. The story gets into the newspaper and grows from day to day, when sometimes there is not one word of truth upon which to base it. A year or so ago a story of this kind was published, a certain fruit grower had suffered a loss, through the presence of deer in his orchard, that amounted to thousands of dollars and that if continued would certainly ruin the owner. Investigation was immediately started and a three hours' inspection of the orchard by one of our Game Protectors showed but one tree

seriously injured, the bark having been entirely rubbed off the trunk of a tree about two inches in diameter by a buck. Investigation in the neighborhood showed that the owner of the orchard, for reasons stated, was running behind in his business, that his bills were not paid, that notes in the banks were renewed, that reasons for such renewals were demanded, late frosts, blights, insect pests, etc., had served their turns, and now it was deer.

From another direction came a claim for more than \$1,000.00 damage done to an orchard by deer; the claim was itemized, each tree cost a certain price, cultivation each year was worth so much, the tree at one year was worth a fixed sum, the second and third year the value increased, at a rate that would have placed a valuation of about \$20.00 on the tree at five years. Two of our officers visited the orchard and reported that while many of the trees in the orchard were dead, they were not killed by deer, that in their opinions soil and unfavorable location were to blame. Finally two of the trees were sent by the owner to Harrisburg, they were said to be in the third year after planting, neither was over thirty inches in height, the small twigs clear to the top of the main stem were intact and the buds were unbroken on many of them. We thought the trees were small for their reputed age, and wondered how the deer could have killed them without mutilating the branches. They were taken to an expert in the Department of Agriculture, who quickly said, "Winter killed", they were then taken to Prof. Surface, of the Agricultural Department, who looked them over and said, "Winter killed." The owner when written to regarding these facts was quite indignant, he said neither of the men who examined the trees knew his business, and we would pay or be advertised through certain agricultural newspapers. The bill was not paid.

Grain is sown on springy land and freezes out, deer were seen in that field during the fall or early winter, when the ground was solidly frozen, when what they ate could not injure the crop, yet, the crop failed and the deer did it, the State must pay. A cabbage or garden patch is planted, a deer's track and it might be a pig's track is seen in the garden; the work of the cut-worm, the green-leaf worm, various cabbage diseases, drought, everything else is forgotten, the deer did it and a bill is presented that aggregates more for every cabbage plant set out than would be needed to buy a like number of mature cabbage heads in the fall.

A few beaver straggle into Pennsylvania from somewhere and start house-keeping, they cut a few trees to be used in their dam, not one of these exceed ten inches in diameter and are of the kind ordinarily found in that section, beech, birch, poplar, and none of extreme value. The trees cut by actual count numbered about twenty-one and

would not have made two cords of wood, yet the damage claim presented exceeded the price the owner paid for his whole farm. When attention was called to the small value of the trees destroyed, the claim was made that the value of the trees was but a part of the loss sustained, the greater part being damage done to the land by water from the dam built by the beaver, the land was so soaked with water from this dam that crops could not be raised, this in the face of the fact that this dam was in a depression, and that at no place did the surface of the water in that dam reach within eight feet of the surface of the surrounding land. These are but illustrations of claims presented. Our rulings in these matters do not appear to be satisfactory, and we would suggest that a Board of three men specially authorized to adjust claims of this character be created, one from the Department of Agriculture, being an expert in his line, one from the Department of Forestry, thoroughly understanding trees and forestry, and one from the Game Commission, who shall understand the feeding habits of animals and birds, and their disposition to destroy; these men to serve without pay, who shall meet annually or semi-annually as the case may require, and whose finding shall be final in so far as the State is concerned. A special fund to pay these claims should also be provided.

GAME PROTECTORS.

We desire at this time to specially report the work accomplished through the increase of our field force, our Game Protectors, from twenty as heretofore, to fifty as at this time. Pennsylvania is a big State, containing in round numbers almost 28,800,000 acres, and it is hard for fifty men to cover this territory as it should be covered and as many of our people expect it to be covered. We have many people in this State who are interested in the work of game protection and many more who are helping in every way possible in the work of wild bird protection and they are noting what is done. Our men are expected to enforce our State laws relating to both these subjects everywhere and all the time; our officers are expected to work day and night from one month's end to the other, Sunday and every day. That they are active and energetic is shown from reports of organized sportsmen and individuals in various parts of the Commonwealth, but they cannot do all things, they are not omnipresent. Sportsmen through the Resident Hunters' License are paying the bills for both game and wild bird protection, and from many directions comes the demand that there be at least one Game Protector for each county in the State, and especially is this necessary if our officers are to assist in the enforcement of the Forestry and Fish Laws of the Commonwealth, as well as the Game Laws, and we are

perfectly willing to have our men assist in this work. The fact that an officer is known to be in certain territory has its effect for good; in addition to this an examination of our books will show that many more violators were arrested last year than during any prior year, simply because we had more men. Our records regarding those punished for bounty frauds show that this could not have been done with the force we had in 1914. Many cities of this Commonwealth have more men on their police force, covering but limited territory, than we have for the whole State. It is just as hard to make good brick without straw today as it ever was in the world's history. The new Bounty Law has simply revolutionized matters in that direction, and is stopping the unheard-of frauds of former years, and is saving many thousands of dollars. Our paid protectors are authorized to take affidavits relative to bounty claims, without charge to the claimant. They take the affidavit, examine and mutilate the pelt presented, and give it back to the owner. The skin examined by a Game Protector in the field is not sent to Harrisburg, as is the case when the affidavit is made before a justice. The sportsmen in every county in this Commonwealth believe that as they are paying not only the bounties, but also the salary and expenses of the Game Protector, they are entitled to a Protector to not only protect and feed their game and wild birds, but also to kill vermin and to protect their bounty fund, at the same time making it as easy as possible for honest men to secure the bounty they are entitled to.

Respectfully submitted,

CHARLES B. PENROSE, President,
WM. B. McCALEB,
JOHN M. PHILLIPS,
J. S. SPEER,
GEO. D. GIDEON.

Harrisburg, Pa., December 1st, 1915.

To the Members of the Board of Game Commissioners of Pennsylvania:

Gentlemen: In looking over the data collected preparatory to making this Report to you, I cannot help feeling grateful that conditions relative to our work are as they are in this Commonwealth. I am satisfied these conditions will compare favorably with those found in any other State in this Union. I have but recently returned from a trip to California and adjoining States, and made it my business to inquire regarding game and wild bird conditions at every place where opportunity afforded; I called at the headquarters of several State Game Commissioners; I visited gun stores located in cities where we stopped for a day or more; I talked with numbers of individuals I met at the Expositions at San Francisco and at San Diego, at the Grand Canyon, at Denver, and at Des Moines. During this trip I met men from more than half the States of this Union, especially western and southern states, and from various provinces of Canada. I inquired first if the person addressed took any interest in hunting, or in game, or wild bird protection. If they were not interested, I dropped the matter; if they expressed interest, I inquired what State, or country they had come from, and followed this by numerous questions regarding our work, from all of which I feel satisfied that in Pennsylvania we have a *greater variety* of game than is found in most of our northern states, and in quantity equalling that found in almost any State, either northern or western, excepting in the matter of deer. I do not intend by this statement to have it understood that we have in this State an over-abundance of game, or more than we need, for I know this is far from correct, but I do believe we have stock enough to insure plenty of game, if given the care and protection that should be given. When I said to some of these men in the West that we had thousands of wild turkeys in this Commonwealth, and that we last year killed in Pennsylvania more than four hundred and fifty (450) black bear, I am sure many of my hearers put me down as near relative of Annanias.

I was surprised to find that in so far as those with whom I talked were able to inform me regarding efforts in their home states, Pennsylvania stands head and shoulders above all states in her effort to protect song and insectivorous birds. When I spoke to game officials regarding this phase of our work, I was, in various places given to understand that the people of that particular state had not yet

reached the point, where the preservation of anything excepting game was given consideration. In several instances I was told it was hard enough to get laws passed protecting game, without adding protection to small birds, and I thought, perhaps some of our states that claimed to be progressive and ahead of Pennsylvania in many ways, were wasting their strength by lifting on the short end of the lever. I told several that, while we in Pennsylvania considered hunting a National necessity, etc., we found that many of our people did not hunt and could not be persuaded to assist in securing laws giving protection to anything, without first being shown the necessity for such law; when they understood the value of that law to them, they were with us every time; when the farmer and others realized what the life-work of wild birds meant to them, they were ready to put their shoulders to the wheel and push for laws giving protection, not only to the bird in question, but to all birds, and to aid in the enforcement of those laws relating to such birds.

Investigation fails to show any State in this Union that has within its borders the number of hunters found in Pennsylvania (more than 400,000), and I do not believe the hunters of any state secure more game (with the exception of deer in Maine, and quail and wild water fowl in southern states) than is taken in this State. If these statements are facts, it seems to me perfectly fair to assume, that we have in Pennsylvania as fine a game area as is found within the United States, and that with care and fair treatment our game will unquestionably increase to the benefit of all.

When we consider the way in which our deer have increased in this State during the past ten years, without a close season, and the wonderful increase of our wild turkeys during the past two years, with a close season, one must be satisfied that the majority of our hunters are law-abiding and are willing to respect the enactments of our Legislature because it is the law. Some one will assert this is a joke and that does, for instance, the killing of which is prohibited, are still being killed, and this to a certain extent may be true, but we know that our deer are increasing; a condition that could not exist had protection not been accorded female deer. We know that sixty does, perhaps a hundred, were killed last season, but we also know that numbers of men have paid the penalty, in cash or imprisonment, for their action, and others have been so closely pressed as to make them a little cautious in the future. When we consider that there were at least forty thousand (40,000) men in the woods last fall hunting with rifles, for deer, the killing of one hundred does contrary to law, through excitement, accidentally, or maliciously, is not so bad, but instead shows that Pennsylvania hunters as a class are law-abiding, and that the organizations for game and wild bird

protection, for forestry and fish protection, that are being formed, have their influence for good. This fact also satisfies me that the great majority of our people favor conservation and have reached the point where they will not permit those who may feel disposed to violate our Game Law, to do as they please.

The first of these associations, the Pennsylvania State Sportsmen's Association, is still on the firing line good and strong; the United Sportsmen, the Philadelphia Fish and Game Protective Association; the Wild Life League, and other bodies are in position to do, and I am sure will do, splendid work in the years to come, if jealousies and bickerings can be allayed. These organizations are composed of honest, earnest men, working for the benefit of all our people; they are not striving for profit to individuals, except in so far as that profit is derived through benefit to all our people. Yet, when this organization or that individual takes the initiatory step and calls a conference, ordinary human nature shows itself and this individual, or that other organization, holds back, to the great injury of the cause all should be interested in. Experience teaches that no good can come from dividing forces, and this should not be, and as a method through which this condition could possibly be overcome, I would suggest that it might be well for the Game Commission to call all sportsmen into conference, before the meeting of the next Legislature; join with them in that conference, considering game conditions in all parts of the State, discussing the correction of those conditions where they may be objectionable and all together standing by the conclusions of that conference. I know that the Game Commission has, prior to this time, hesitated to do this, feeling that it was not their province to dictate the game laws, and this is perhaps true, but action through such a conference would not be dictation and would preclude much misunderstanding. To illustrate: The Legislature of 1913 passed a law giving counties under certain conditions the right to close their territory to hunting for a period; the purpose was to stock such county and give it a chance to increase fairly before it was exposed to the gunner. This idea did not originate with the Game Commission, but instead came from sportsmen who thought it entirely wrong for us to spend the sportsmen's money, say \$25.00 for a deer, or \$8.00 for a wild turkey, to be killed the first year, still there are men claiming to be sportsmen who oppose this proposition, one gentleman from western Pennsylvania writing me that he intends to do all in his power to have this act repealed by our next Legislature.

Again, that feature of the act passed by our last Legislature forbidding the sale of rabbits and squirrels *killed in this Commonwealth* did not originate with the Game Commission, but instead was sug-

gested in the first place by hunters who claimed that this or that farmer posted his lands and prevented hunters from going thereon, because he desired to kill the rabbit himself and to sell same in the market. At a conference held in Harrisburg, called at the instance of the Wild Life League, this statement as above stated was made and discussed. In the consideration of the question, a delegate from Indiana County said he represented the farming interests of his county, and that they, the farmers, demanded the adoption of this feature, but for an entirely different reason from that before given. He said, "during the majority of the open season for game as it now stands in this Stae, our farmers are at work husking corn, etc., and preparing for winter; they have no time to hunt for anything, and when they do get an idle day, they find that the market hunter from town, or country, the man who won't help the farmer for any price at any time, has killed everything he can reach, and is living fat on the profits secured through the sale of game." Still another delegate said, "aside from, and in addition to these reasons, I do not think it fair to have the Game Commission spend our money, secured through the Resident Hunter's License, for rabbits and other game, and then have the farmer who does not contribute one cent to that fund, or any other person, sell that game for only a part of what it cost." The proposition to incorporate in the Game Law a provision forbidding the sale of rabbits and squirrels in addition to turkeys, grouse, quail, woodcock and deer, was adopted unanimously by that conference. The Game Commission had nothing to do with this measure either for or against it, yet your secretary was abused and bullyragged more than once because he refused to take a position against this feature. It seems to me that a conference called as before stated would to a great extent relieve this situation.

GAME PRESERVES.

The Game Preserves created under your direction on State lands have all been completed; fire lines have been cut out; the boundary wire is in position, and the notices duly posted, and each one is prepared for stocking.

The preserves on private lands leased by the Commission are each one also in good shape; fire lines are cut; the wires and notices are in position, the only trouble with this class of preserves being that the owners of said lands in the majority of cases have refused, as suggested by you, to fix a price at this time for which the State might purchase said lands at any time during the term of our lease. One of the principal reasons for this action upon the part of the land owner is, that they suspect the presence of coal, or fire-clay, or

other minerals of value and do not care to fix a price for their lands until same have been explored to their satisfaction.

Closing of counties to the killing of game of various kinds for a period, I believe to be the only method through which game of various kinds can be reestablished in some parts of this State, especially is this the case where certain species, either birds or animals, have been exterminated and where the return of such creatures is entirely dependent upon the introduction of game from other territory. Some objection has been made to this method of game increase, and for various reasons, among them being the claim that when a county is closed to certain game, there will be a decrease of revenue during that period from the Resident Hunter's License applicants who might be disposed to hunt for that particular species of game for the killing of which the county is closed, and this very likely is true. The same condition would exist were the same kind of game to become extremely scarce or to become entirely extinct. Under either of these last named conditions, the reduction in income would become perpetual, while under the closing system the revenue would be undoubtedly increased at the end of the term. Another objection comes from individuals living in counties adjoining the closed county, who complain that during such closed period the residents of such counties come into their counties for game, in this way crowding hunters into a limited territory, those finding fault forgetting that if game in the closed county is increased the residents of that county, when the close season has terminated, will not be compelled to go into other territory, while if it is not closed and game be given a chance to increase, the time will soon come when there will be no game in either county.

Pennsylvania is among the few states, if not the only State, in this Union that has increased her deer and other game without declaring a close season for the entire State. Through our Sanctuary system game of various kinds will not only be perpetuated, but will undoubtedly be increased. The big buck, as well as the spike horn, the wild turkey, the ruffed grouse, squirrels, etc., will therein find safety, and because of the peace thus guaranteed will increase to the limit. The closing of a county for a term of years means the same thing for that period, and each one of the counties closed under our law should have established within their borders a permanent Sanctuary before the present close season is ended.

FOREST FIRES.

From observation extending through many years, I am satisfied more harm is done to the cause of game and wild bird increase by forest fires, than is done in any other way, and especially by early

Spring fires, when our birds are nesting, or at a later period, when the young of both animals and birds are helpless. Aside from this, the destruction by fires of the growing trees and shrubs and vines, through which a food supply for wild creatures is produced, is a most serious proposition and some radical step should be taken to have our people, not only sportsmen, but all our citizens, understand that each individual will be held responsible for the damage done by forest fires in his district. Sportsmen should see to it that every possible aid be given our Department of Forestry in the care of lands under its control. The man who either wilfully or negligently starts a forest fire should be made to understand that he is not specially injuring the Department of Forestry, but instead is destroying something that belongs to all the people, that when gone can perhaps never be replaced. Such people are undoubtedly criminals and public enemies, and every sportsmen in this State should constitute himself a committee of one to see to it that such criminals are placed behind the bars, where they belong. When we consider the loss sustained and the vast injury done by forest fires, it seems to me the expense of keeping in prison the men who start these fires is but a small item as compared with the possible loss that may come through their being at large.

SHOOTING AFTER SUNSET AND BEFORE SUNRISE.

One law of this State at this time forbids the shooting of wild water fowl before sunrise of any day; another act provides that game birds shall not be killed during the night time, and defines "night time" to mean that time extending from one hour after sunset to one hour before sunrise the following morning. It seems to me, if we hope to preserve some of our most valuable game birds, wild turkey and ruffed grouse, that this act relating to non-migratory birds should be amended, so that no one might shoot at, or kill our native game birds, of any kind during that time extending from sunset of one day to sunrise of the day following. I am sure that thousands of our ruffed grouse are killed on grape vines, or hawthorn, or black-haw, or other food-producing trees, between sundown and dark, when they go to such places for food, and I am also satisfied that hundred, I might say thousands, of our wild turkeys, many of them young and not able to care for themselves, are annually killed while on the roost between daylight and sunup, frequently by men who call themselves sportsmen. To my mind, the one who shoots a hungry bird seeking food at eventide, after it has been harassed and driven all day long, or the one who shoots a baby bird in the early morning on its roost, is not the

kind of a man I would like to trust in a time of danger or to tie to in adversity, still we have such men, hundreds of them, who can be controlled only by the strong arm of the law. I fully understand that we are trying to increase game so that it may be taken by sportsmen, and not simply to be looked at, but I also know that if we permit our game to be destroyed in an unreasonable or wasteful manner, our entire effort will have been in vain and we will shortly have no game for any purpose.

CHANGE OF SEASON.

I believe, too, that the season for game birds in this State should not extend beyond four weeks. With the number of hunters (400,000) annually in the woods, improved fire-arms, expert marksmanship, and the especially rapid transit supplied through the use of automobiles, I am satisfied our birds such as the wild turkey and quail and grouse cannot stand a longer season. I recognize the force of the claims made especially in the counties in the northern half of our Commonwealth, that unless they get a chance at the woodcock before November 1st, they will get no chance at all, as these birds will have migrated before that time, but can see no good reason why our turkeys and grouse and quail and squirrels should be sacrificed through an early open season, because we happen to have a few woodcock in this State. It seems to me it would be far better and in accord with good business judgment, to say that wild turkeys and quail and squirrels might be killed during the month of November only; that woodcock could be killed from the 15th of October to the 1st of December, and that rabbits could be killed from the 1st of November to the 1st of January. Rabbits increase rapidly and can well stand a two month season. A uniform season would be all right if it could be arranged with justice to our game as well as to the people of the several sections of our State, and in a manner that will perpetuate our game. I am satisfied that not one-half the turkeys or quail or squirrels would be killed contrary to law by woodcock hunters in October, or by those who might be hunting rabbits in December, that are killed under the present law in October. This is a serious question that must be considered sometime, and that should be adjusted now, before it is too late.

If we could buy wild turkeys or quail at a reasonable figure and in numbers sufficient to mean anything, our present law might be all right, but up to this time we have been unable to secure these game birds as we would like to do. Our effort in this direction made last year resulted in securing two hundred (200) quail from Mexico, and no turkeys from anywhere. One philanthropist from Virginia wrote

me that he had a pair of turkeys, a male and female, that he would sell cheap. When I wrote for prices, he said \$30.00 for the Tom and \$25.00 for the hen, or \$50.00 for the pair. We did not get these birds.

After a careful survey of the market, the limited places from which either turkeys or quail can be secured on this Continent, we decided to send an agent direct to Mexico, first having arranged with the Biological Survey at Washington to admit our birds into the United States, if we secured any. That agent is now in Tampico and informs us that he in all probability will be able to secure several thousand quail in that section. These birds will come from an altitude similar to that of Pennsylvania, about five hundred (500) feet above sea level.

The two hundred quail we brought from this same locality last winter were realised upon protected areas in various sections as soon as possible in the Spring. Reports show that these quail raised nice coveys, and that at this writing the birds are still with us and show no inclination to migrate.

We have arranged with our several officers to receive and care for during the winter such birds as may be secured, each one having a limited number of quail under his control. We consider that by keeping these quail in this way a few in a place, there will not be near the danger from disease that might come were the birds held in larger numbers in any one place.

We have our plans laid for securing deer, both White-tail and Fallow deer, and hope to secure at least one thousand White-tail and perhaps one hundred and fifty or two hundred Fallow deer, the Fallow deer to be placed in those counties that have no deer at this time, and that have been closed to deer hunting for a period.

USE OF MONEY RECEIVED FROM RESIDENT HUNTER'S LICENSES.

There seems to be a disposition upon the part of some of our hunters to divert some of the money realized through the Resident Hunter's License Act to purposes not only, not considered by that act, but that are directly contrary to the statements and promises made by those who favored and supported that act. As you will no doubt remember, when this bill was first introduced in our Legislature, there were many who claimed the purpose was not to raise money to benefit hunters, but instead, was intended as the entering wedge through which poor men were to be driven from the hunting field; that while the fee (\$1.00) was reasonable at this time, it would soon be raised to \$5.00 or \$10.00 or \$20.00, and the laboring man be

eliminated. Many others said, "we are perfectly satisfied to pay this dollar annually if the money is applied to our use, but we know it will be used for other purposes," and the promise was repeatedly given that not one dollar of this money should be applied to any purpose excepting the payment of bounties for the killing of animals considered destructive to game, and to the work of game protection and increase, the purchase of game and the feeding of game during winters. Because of these declarations, enough votes were secured in the Legislature to pass this bill and the return therefrom has been simply phenomenal. At least 300,000 hunters during 1913 and the same number in 1914 paid their dollar into this fund, thereby giving to the Game Commission a something they never possessed before—the means to do that for which they were created, to do something that will benefit and satisfy the men who have put their dollar into this fund.

It is with deep regret that I am now compelled to say to you that an effort is being made to do the very thing the supporters of the Resident Hunter's License bill promised should not be done; namely, to divert a part of the money secured through this measure to purposes not contemplated by this act. Some of the men who were the loudest in their declarations that this should not be done, are now leading in the effort to violate their pledges. They claim that the revenue secured through this measure is so far ahead of expectations that they are sure the money cannot be judiciously used for the purposes named in the act, and that, therefore, a part—one-third—they say, shall be applied to the purchase of lands for public use, picnics, etc. Just who has this land to sell, or where it may be located, has not yet developed, but certainly, because of conditions, it must be in some place where it cannot be used by all the hunters whose money may be applied to this purpose, and it seems to me that this proposition, aside from the question of honor and integrity involved in such action, has not been well considered. I am confident the hunters of Chester or Montgomery or Westmoreland Counties, or of any other county in the Commonwealth, will not be satisfied to have their money used to buy lands in Lackawanna or Union or Lycoming, or in any other place far from their home. It was distinctly promised that every dollar of this money should be applied to the benefit of sportsmen, to the end that game in quantity be brought as near the home of the laboring man as possible. If too much money is secured through this Resident Hunter's License Act, it seems to me it would be a display of good judgment and would suit the majority of hunters better to reduce the license fee to fifty cents, instead of applying any part of that fee, as now collected, to the purchase of lands, or to any other purpose not clearly declared by

the act. If this proposition is agreed to, then indeed has the wedge been introduced and our money can well be applied to good roads or hospitals, or to any other purposes.

KILLING OF MEN.

During the session of the last Legislature a bill was introduced by Prof. Dell, Member of the House from Huntingdon County, making it a special offense to shoot at or kill a human being in mistake for game of any kind. This bill was referred to the Judiciary Special Committee of the House, and was laughed out of Committee, the gentlemen composing that body apparently not understanding the true situation and considering the matter a joke. To my mind, human beings are as surely entitled to protection from injury at the hands of reckless men with guns, as is any species of game or wild birds. An accident is one thing and a mistake is another thing. I may shoot at a deer, or other game, and kill or wound a man unseen to me, that would be an accident. This is a matter hard to control and might be excused, but if, either with or without care, I shoot at what I think is a deer or other game, and afterwards find the object shot at or killed was not game, but instead, was a man, that is not an accident. Such action should not even be excused as a mistake, but instead, should be severely punished. The life of any man, hunter or otherwise, in the woods means more to him and to his family, than does all the game in the State, and neither regrets nor flowers mean anything to the dead one, or his family.

Those who may be disposed to laugh at proposed Legislation regarding this subject may well do this, so long as they or their friends are not injured. When the matter is brought right home to them, experience teaches, that in many instances, these people are the very ones who howl the longest and the loudest. That you may understand what this means, let me say that during the hunting season of 1914, thirty-one men were killed and ninety-nine wounded in this Commonwealth through the use of guns; up to the time of writing this report we are informed twenty-nine (29) men have been killed and one hundred and ten (110) wounded during the season of 1915. Some of these occurrences were accidents, but the majority were the result of, to say the least, wilful, criminal carelessness. Some resulted from deliberate violation of law, as for instance, our game law provides that no person shall use a turkey call in attracting wild turkeys. Numbers of the shootings this year resulted from the use of turkey calls, the operator hiding behind a log, or in a clump of bushes, and either shooting the one who in good faith thought he was stalking a wild turkey, or being shot by that person. Any citizen of this Commonwealth has

just as much right to go into the woods during the open season for game, as has the hunter. Under present conditions, there is not a minute of that time when a man's life is safe in the woods; some fool sees the branches move or hears the brush crack, when bang goes his gun, and the next call is for the coroner. It seems to me there should be some concerted action taken by sportsmen to secure drastic Legislation regarding this important subject; hunters should be taught to understand that before they shoot at anything in this State they must be sure they are not shooting at men, or must suffer the consequences.

TRAPS.

Protests in considerable numbers are being received at this office regarding the setting of steel and other traps for the catching of fur-bearing animals, the assertion being made that thousands of rabbits, hundreds of ruffed grouse, and other game, is taken through the use of such appliances, and especially those that are set in woodchuck holes or other openings in the ground, or in logs. It is a well established fact that the female rabbit spends the hours of daylight under cover, in holes in the ground, in stone piles, in hollow logs, or in other places where darkness prevails. It is a well established fact that eight out of every ten rabbits killed in the open during the hours between sunrise and sunset are male rabbits, while eight or more out of ten rabbits, taken from holes in the ground, without having first been chased into such openings, will be found to be females. The placing of steel traps in openings to such places of retreat most surely results in the killing of numerous rabbits, especially the breeders, and the question of setting traps is a most serious one in many sections. At the very best, a leg of the rabbit or bird caught in such trap will be broken, and the creature, even if released, be seriously handicapped in its effort to secure subsistence. Our law at this time—Section 10 of the Act of April 21st, 1915—provides all game must be taken through the use of a gun, but then goes on to provide that traps not to exceed a No. 3 Standard trap may be used for the taking of vermin, so long as such trap is not set where rabbits and other game may be caught. No punishment is imposed by the Act for violation of this last named provision, it being claimed that the law permits the use of traps of less size than a No. 3, and that the penalty imposed for taking game in any manner than through the use of a gun does not apply to what is termed the accidental taking of a rabbit through the use of a device legally placed for taking vermin.

BOUNTY FRAUDS.

As you are no doubt aware, the Game Commission through its Secretary, bitterly opposed the passage of the Act of July 25th, 1913, placing a bounty on certain animals and birds in this State. So determined and outspoken was that opposition that I was haled before a Committee of the House and asked whether or not I had attempted to defeat that Bill, and had threatened to protest to the Governor and if possible have him veto the bill, should it be passed by the House and Senate. To this I replied that I had done as stated and that it was my duty to so act. Several members of the Game Commission joined with me in this effort to defeat a bill that in part at least, that part placing a bounty upon certain birds in this State, was most harmful. John M. Phillips came from Pittsburgh and appeared before the conference of the Senate and House in a final effort to have the birds eliminated, without success, and the bill was signed by the Governor. Shortly after this Act was passed in 1913, I wrote an open letter regarding the possible harm that might come to the State through this act, and forwarded copies of same to the various County Commissioners of the State and to thousands of sportsmen and to many newspapers of the State, and asking each one to be on guard. During 1914 I wrote two more letters regarding this matter, and forwarded copies as before all over the State. At the time of writing the first letter I simply suspected fraud; when the second letter was written I knew frauds were being perpetrated, but was absolutely helpless. In the matter of correcting same, we had no authority to demand a view of any paper presented to County Commissioners before the same had been forwarded to the Auditor General, and as we understood it, our right to investigate even after said presentation, came only through the authority given by the Auditor General. I am now informed by the Attorney General that it is not only our right, but that it is also our duty to investigate these frauds and to cause the prosecution of every claimant and every person, official or otherwise, who aided or assisted in the making of an illegal demand to either the county or State for bounty.

When these claims by counties for reimbursement began to come to the Auditor General, that official informed me that he would not permit the payment of any of these claims until same had been passed upon by some one who knew and understood the possibilities of fraud in this matter, and it was arranged to have all claims for bounties presented for 1913 and 1914 examined in our office, the Auditor General supplying a part of the force necessary to this work, and the Game Commission the other part, and this has been done. Six and sometimes more men have been engaged for months in auditing these claims, and the facts being developed are simply astounding.

Prior to the passages of this act no one could, under any condition of circumstances, have made me believe that there were so many men in Pennsylvania willing to commit perjury for a dollar.

No one could have persuaded me that men, as individuals, or in combination, could be persuaded to attempt the frauds that have been perpetrated against this fund.

No one could have made me believe that so many men in public life were as lax in the handling of public interest entrusted to them as has been demonstrated they undoubtedly have been in the handling of these claims for bounty, and I have ceased to wonder that men of this disposition who understood themselves and some of their fellows better than I understood them should have dared to question the integrity of members of the Game Commission.

To illustrate, the Act of 1913, providing for the payment of bounties among other things declares that the claimant for bounty shall go before a certain official authorized to administer oaths in this Commonwealth, and shall make an affidavit in which they shall plainly state when and where, and by whom, the animal or bird in question was killed. To sustain their claim such person shall present before the official, either the body, or the entire pelt of the animal, or bird, for the killing of which the bounty is claimed. The act provides that the official shall then in the presence of a witness, who shall be an elector, split the skin of the face of the animal, shall cut off the ears from such animal, and the head of a bird presented and shall burn same.

We presume these several provisions were carefully considered by those preparing this bill before it was introduced in the Legislature, and that they were intended to safeguard the fund that might be set apart for this purpose.

Under the provisions of this bill, claims for bounties were to be paid by County Commissioners from county funds, said counties later on being reimbursed by the State from a fund collected from sportsmen of the State through what is known as the Resident Hunters' License Act.

While no specific appropriation was made for this purpose until May 3rd, 1915, the courts had ruled prior to that time that counties must pay this bounty, and afterward make claim upon the State for the amounts paid out.

About the beginning of 1915 claims for reimbursement to counties began to be presented to the Auditor General, and in the auditing of these claims it develops that untold and unbelievable frauds have been perpetrated upon counties, made possible and continued in many counties solely because of the, to say the least, careless and negligent manner in which these claims were examined by said officials from the tak-

ing of the affidavits clear through to the payment of the claims. We are now assisting in the examination of these claims and know whereof we speak.

Many of the officials taking the affidavits, judging from the face of the papers and evidence coming to us from investigation, appear to have felt that no responsibility in any manner rested upon them in seeing that these claims were legitimate and honestly made, but instead that they were simply agents through which moneys in the State Treasury were to be transferred to the pockets of individuals in their community, and that the intent of the act in requiring the affidavit was to give them a chance to make a fee. The necessity for identifying the bird, or animal, named in the affidavit was not considered, that part of the law requiring the presentation of the body, or entire pelt, so that the creature might be identified meant nothing, and thousands of affidavits now being examined show that nothing but parts of the skin, such as the scalp, or top of the head, in many instances nothing but parts of the ears of the animal, was displayed.

I doubt very much whether there is one justice of the peace in a hundred in this State who can to a certainty tell, when it is dried, or any other time, the scalp of a weasel from the scalp of a ferret, or a rat, or a red squirrel, and I know it will require an expert of experts to tell the tips of a weasel's ears from the tips of the ears of a ferret, or a rat, or a red squirrel, yet claims of this kind were passed by the thousands. In some cases nothing but a small piece of skin was presented that might easily have been taken from the flank of the animal and put in shape through the use of shears. The act required the justice to mutilate the skin of the animal presented by cutting off the ears and splitting the face from between the eyes to the end of the nose, intending thereby to prevent the collection of a second claim for the killing of the same animal. How the justice could split the skin when only a part of the ears were presented, or how the burning of that part of the ears presented, would prevent of number of clippings from the same animal we cannot understand, from the fact that even today under the new system of paying bounties, when every skin of an animal for the killing of which a bounty is claimed, must be passed upon by this office, we frequently have presented the skins of animals for the killing of which no reward is offered, and feel satisfied that under the old system, when the skin was passed upon by one not an expert, frequently by men who did not care what was exhibited, many claims, to say the least, not legitimate were paid. We have had as many as three skins of domestic cats killed in various parts of the State presented to us in one day.

In the matter of bounty on birds, one owl and two hawks, the law required that the entire body of the bird should be presented. This, as we understand it, was because of the great similarity of hawks and the fact that it is almost impossible for even experts to distinguish between the species of certain birds except, by an examination of the entire bird and a comparison with other birds.

We have in this State twelve (12) kinds of hawks, seven (7) of which are considered as beneficial and are protected by our laws, and five as injurious that are not protected, but a reward or bounty was offered for the killing of but two of these hawks, the Goshawk and the Sharp-shinned hawk. The Coopers hawk and the Sharp-shinned hawk are almost exactly alike, except, that the Sharp-shinned hawk is smaller than the Coopers hawk and has a tail square at the end, while the tail of the Coopers hawk is rounded at the end. Both these birds migrate in the Fall, and but few remain during the winter. The Goshawk is a bird of the north; it comes into Pennsylvania only during the winter months, when the Northland is covered by ice and snow. This bird comes about the first of November and leaves as soon as the snows begin to disappear in the springtime. The claims presented by counties for bounties on these birds show that thousands of Sharp-shinned hawks, supposedly were killed in the winter time and presented and paid by counties. Hundreds of claims for the killing of Goshawks in July and August were made and honored, when in fact there was not a living Goshawk in a wild state to be found in this entire State at that time, and strangest of all the evidence of the killing as presented to the justice as fixed by the affidavit, is the statement, that the head of the bird only, was presented; in many instances, as we have demonstrated in court, nothing but the bill of the bird was exhibited. In some instances nothing at all was presented; the bounty fund, as testified to in court, was looked upon as "easy money," a something for anyone to prey upon, both justice and outsider in many instances getting what they could. In one county a young man was asked if he would like to make some easy money. When he said he would, he was directed to go to a certain man. He went, found the man to be a justice. The two went into a room where claims for \$74.00 were made out. The young man presented the affidavits to the County Commissioners, got the money, and gave one-half of it to the justice. The young man is now in Penitentiary, and the justice a fugitive. Skins of animals, especially those of weasels, were purchased from fur dealers in Canada, New York, Indiana, Ohio and elsewhere, at a limited price, say eight cents (8c.) each, and turned over as animals killed in this Commonwealth for \$2.00. In one county claims were presented by a man living in another county, this man swearing that he had killed one hundred

and two (102) Goshawks in four days during the summertime in that county, when at that time there was not one live Goshawk in a wild state in this Commonwealth. He presented claims for the killing of three hundred and forty-seven (347) weasels. These animals were caught in two months, both the birds and animals being taken, as he stated to me, within two and one-half miles of a city containing twenty thousand (20,000) people and located in a highly cultivated section of this State. The evidence he presented to substantiate his claim was a collection of heads, of animals and birds, so decomposed as to have been without hair or feathers, a putrid mass, in many instances the bones were separated through decay. Later on we found in the cellar of the house of this man a tub containing at least a bushel of putrid heads that proved to be the heads of rabbits, and squirrels, and turkeys, and chickens. Both the alderman before whom the affidavits were made and the witness to the claim testified at the trial that the heads were so offensive that they did not care to touch them, that they turned them over with a stick and destroyed them as quickly as possible. One witness testified that he noticed some of the bills of the birds presented by this man as Goshawks were straight, and not curved as he thought any kind of a hawk's bill should be, and when he asked the claimant why this was so, he said they were the bills of young hawks, the curve would come later on with age. He told the clerk of the County Commissioners that he had taken most of these birds from nests in tall trees, to which he had climbed, getting sometimes as many as eight or ten, and even eleven young birds from one nest, when the fact is that the Goshawk never since the days of the wild passenger pigeon and big timber has been known to nest in Pennsylvania, and never has more than five (5) eggs in its nest, generally two. This man told me he poisoned these hawks with "little grains." I said, "you are a wonder; you must have had a special poison." To this he replied: "Yes, my pap was a great trapper. I use the same kind of bait." I said, "Did you put this poisoned grain in the fields or in the woods?" to which he replied: "Oh! I put it in the woods, at night." Then I said, "And you killed all of these hawks through the use of poisoned grain," to which he replied: "Sure." I then said, "Don't you know a hawk does not eat grain, that because of the shape of its bill it could not pick up grain, not even a grain of corn if it wanted to?" He then, after a pause and the wiping of considerable sweat from his forehead, said: "Oh! I had some meat, too."

I then asked him if he poisoned the weasels that he claimed to have killed, and he said: "No, I caught them in traps." I asked him the kind of a trap used, and he said it was made of boards, the trap, according to his description being of the kind with a drop end used

for catching rabbits, about two feet long, by eight inches wide, and ten inches high. I asked him where he built his traps, and he said in the woods, where he used them. I asked with whom he stopped in the county where he was trapping. To this he replied he did not stop with anyone, he just slept in barns. I then said, "Where did you get the boards used in making the traps?" He replied: "I brought them from home." And then I said, "Also the saw and hatchet and the nails?" and he said: "Yes." I then asked: "Where did you eat?" to which he replied, "Oh! I carried that with me." "Well," I said, "you had quite a load. How many boxes did you build?" and he said, "Four." I then said, "Do you mean to tell me that as set forth in your claim you caught twenty-five (25) weasels in four (4) box traps in one night?" To this he replied: "Oh! Yes, I caught five or six in one trap." Then I said, "Tell me how the second, or third or other weasels got into the trap after it had been sprung by the first weasel," to which he replied through his sweat, "Oh! They all were in when it was sprung." Comment regarding this claim is not necessary; the jury convicted this man and he is now in jail. Investigation of claims for bounties made by counties upon the Auditor General shows this same man has for years been collecting bounties in at least three counties, for the killing of animals he never saw. Still, I want to say the person before whom this man appeared to make his affidavits in Lebanon County passed his claim and certified that one hundred and two (102) Goshawks and three hundred and forty-seven (347) weasels had been taken. When I asked this gentleman why he did this, if he knew a Goshawk from any other hawk, he said he did not, but the claimant had told him what they were. The county paid the claim.

Again, the law provides that an elector shall be the witness to the affidavit, and mutilation of the skin, because, we presume, it was thought an elector would probably be a sportsman, or a tax-payer, and would be interested in seeing that fraudulent claims were not presented. In hundreds of instances the names of women and children are attached as witnesses. In some cases the justice signed his own name and declared he was an elector. In many cases there was no witness at all.

In many cases immature creatures, the young of rats and mice and other similar creatures, apparently dug out of nests, were presented and passed and paid for. We had occasion to investigate a claim of this kind only a short time ago. The affidavit on its face showed plainly that it had been altered, the figure one (1) having been changed to a seven (7), and the letter "s" added after the word weasel. Upon inquiry by our officer the justice said, "Yes, sure, that man brought in a weasel and I made out the affidavit for

one weasel, and he signed it. Afterward he cut it open, right here in the office, and found inside six little ones. I added the six to the one, making it seven. Why not?"

A small box sent us contained an immature animal said to be a weasel. The creature was not longer than the first joint of my thumb; it might have been the young of a rat; it might have been a mouse, and could not have been born for more than a day or so, yet the justice had passed this animal as a weasel and had taken his fee for the affidavit. These things, together with happenings of like character, led to the issue of a circular letter by this office to the effect that no application for bounty would be considered unless the skin presented showed that it had been taken from an animal old enough to have its eyes open and to stand on its feet.

Many of the affidavits presented to the Auditor General fail to state either when, or where, the animal, or bird, in question was killed. If killed prior to the date upon which the bounty law of 1913 was signed by the Governor the claim could not be legally paid from the sportsmen's fund.

If killed in one county, the claim being presented in another county, the payment would not be justified. If killed outside of the State no legal claim could be made at all.

The law provides that "a bounty of two dollars (\$2.00) shall be paid for the killing of a gray fox." Many affidavits declare "a fox" was killed, without attempting to state what kind of a fox it was.

Numerous claims were presented and paid for the killing of mink and skunk, when there was no bounty offered for the killing of either of these animals by the 1913 act.

Affidavits were found stating that a hawk had been killed, bounty fifty cents (50c.). In the certificate to the Auditor General the hawk had turned to a weasel, on which the bounty was two dollars (\$2.00).

In many instances it appeared that every word in both the affidavit and the certificate, including the names of the affiant and the official taking the affidavit had been written by the same hand. Investigation of many of these claims demonstrated that the person supposed to have made the claim had in reality never heard of it. Certain justices seemed to think that their neighbors had killed certain animals for the killing of which a bounty was offered by the State. If they had not really killed such animals, they ought to have done so, and a bounty was due to someone, so they took it themselves. Several justices have already admitted to this.

In one case a justice of the peace saw two raccoon skins tacked to a barn door, and pointing to the skins, asked the owner of the barn why he had not probated the wild cat skins. The owner replied,

"those are not wild cat skins; they are coon skins." To this the justice said, "You bring them to me and see how soon I can make wild cats of them." This was done. The affidavits were made, the certificates were made out by the justice. The applicant got his money, \$8.00, and now the parties to this transaction, especially the justice, insist that they are honest men and should not be sent to jail for fraud.

We have evidence to show that certain justices instead of destroying the skins presented to them, as provided for by law, saved same and afterwards probated same before another justice.

In some cases the affidavit and certificate were honestly made by the justice; the claimant on the road to the office where he was to receive his money thought he was not getting enough for services, and so raised the figures. One boy raised his claim from two dollars (\$2.00) for the killing of one weasel to twenty-two dollars (\$22.00) for eleven weasels, 1 weasel \$ 2.00, 11 weasels \$22.00, "easy money," and bought a bicycle.

These are but illustrations of some of the numerous and various, to say the least, defective claims, that have been presented and passed by county officials, that are now being presented to the Auditor General for a return of moneys expended.

Thousands of claims are not in accord with the law in matters of vital importance to the issue. These defects are not simply technical points or defects, and the claims should not be paid. They should not have been paid in the first place, and would not have been paid had the county officials given the least heed to the requirements of the law or to the three letters issued at various times during the past two years from this office, calling attention to possible frauds and warning them to be on guard. The fact that counties have been defrauded is no reason why the sportsmen's fund be treated in the same way. Many of these claims are so irregular upon their face and out of accord with the law, that the least display of business ability would have demonstrated that fact and prevented their payment. The fact that they were paid satisfies me that from the most lenient point of view possible, they were not examined as carefully as they might have been.

I am satisfied that in many cases the County officials thought but little over this matter, and if they did think, considered that "the State is responsible, what do we care." This has been demonstrated in more than one instance.

In one case a prosecution had been brought by our office. On the day of the trial the attorney for the defendants asked for a conference, and expressed a willingness to make restitution, to which we agreed. The judge before whom the case was being heard suggested that it might be well to see how the County Commissioners felt upon

the subject, and two of them finally made their appearance, and were asked by the judge how they felt regarding the offer. To this both replied: "Oh! We don't care what may be done. This is a State case. We have no interest in the matter in any way. We paid these claims in good faith and look to the State for a return of our money." "Oh!" said the judge, "Hold on. You are the people who are interested. You are the only ones interested. That is why I called you here. It seems to me that no matter how honestly you believed these claims to be fair and just, when you paid them. It now appears they are fraudulent and your county will be the loser. It would hardly be fair for you to ask State officials to reimburse you from a fund under their control because it appears you have been defrauded. The moneys in their hands is not for that purpose, but are to be used to make return for honest claims, made and paid, according to law. I hardly believe the State officials will make a return of this money if you do ask it. It seems to me it would be well for you to think twice before you decide. The State expressed a willingness to be satisfied if these defendants make a return to the county of the moneys fraudulently taken and pay the costs. If this proposition is rejected and it appears that these claims were negligently or carelessly passed, you as individuals might be surcharged." Nothing more was necessary; both men at once said, "Yes, Oh yes! Certainly we are perfectly satisfied with this arrangement," and the case was so settled.

Several individuals charged with fraud in this regard are in prison; some have absconded; one committed suicide; several have plead guilty and made restitution to the county; and more are yet to hear from.

Under the present law, as signed by the Governor April 15th, 1915, every skin upon which a bounty is claimed must be examined and passed upon by a paid Game Protector either in the field or in the office at Harrisburg. Each claimant will be paid every cent he is entitled to, in due time.

Where the claim is presented to a Game Protector in the field, the affidavit is taken without charge, the skin is split from between the eyes to the end of the nose, and handed back to the applicant. The affidavit and certificate is forwarded by the Protector to this office. Where the affidavit is made before a justice of the peace, or a justice of the peace, or magistrate, as permitted by law, a fee prescribed by law is paid to the official by the person making the affidavit; said affidavit and the skin are forwarded to the office of the Game Commission, at Harrisburg, where the skin is mutilated as above described and returned to the owner, if he so desires. At least once each month the claims presented to this office are certified to the Auditor

General, who, as soon as may be, draws his warrant on the State Treasurer for the amounts due each individual certified to him. The State Treasurer in turn, as quickly as possible, forwards his check to the party making the affidavit. It seems to me it will be quite difficult to secure the payment of a fraudulent claim under this system, and if permitted to any extent, will be directly chargeable to this office.

Under the present system the claims presented for bounties during the months of July, August and September, 1915, amount to \$4,054.00 which amount I feel perfectly safe in asserting is not equal to one-fifth of the amount for which claims were made during the same months of the previous year.

STATE POLICE.

This splendid body of men has been in the past not only rendering very great aid to our Protectors when called upon, but have also all over the State, of their own initiative, been doing everything in their power to protect our wild birds and our game, rendering us help in our work, the value of which cannot be estimated. I certainly appreciate the help given to this office through the efforts of these men, and would be glad to see this force increased to three or more times its present strength; it seems to me it is to the interest of every true sportsman in this State to have this done.

DOG LAW.

Under the provisions of an act of the Legislature of 1915, it is unlawful for an alien residing in this Commonwealth to either own a dog or to be possessed of a dog, no difference who may own said dog. The penalty for violating this provision is \$25.00, and it was made the duty of the Game Commission to aid and assist in the enforcement of this act. For your information, I desire to say that in so far as I am aware, neither the Game Commission nor any of its representatives in any way had to do with either the drafting or the passage of this measure; still, as the act imposed upon our office certain duties, I decided to perform those duties as in other cases in as fair and reasonable manner as was consistent with the law, and that might be needed to secure the best results to the State and impose the least hardship upon the alien who through ignorance failed to comply with this law, and to that end had twenty thousand (20,000) circulars printed on cloth, in English, Slavonic, and Italian, a summary of this act and advising aliens to dispose of their dogs. These circulars were distributed in various sections of the State with the result that many dogs have disappeared without trouble to anyone. I took the position also that according to the title of the act, its purpose was to protect game and wild birds, and was not

simply in an arbitrary manner deny to aliens the right to own or be possessed of a dog. Section one of the Act of May 1st, 1909, declares it unlawful to hunt or shoot upon the first day of the week, commonly called Sunday. The courts ruled that as declared by its title, this provision was a part of an act giving protection to game, and was not intended to preserve the sanctity of the Sabbath, and that, therefore, before a conviction could be secured for violating the provisions of said Section, it must be established that some bird or animal protected by said act was hunted for or shot at upon Sunday. Applying this ruling to the act denying to aliens the right to own or to be possessed of a dog, this act also according to its title being passed for the protection of game and wild birds, I directed that our officers in all cases should consider the kind of a dog possessed by the alien, as well as the place where the dog might be found. We held that neither the possession of a poodle dog, even in the woods, or the keeping of a mastiff in the heart of a city, would be a menace to game and that good judgment should be used in the enforcement of this law. We directed that penalties should not be imposed except in cases where the alien refused after personal notice to part with his dog, or in cases where it was proven the dog was destroying game. Our persuasive efforts appear to have secured splendid results in various sections of the State, and many hundreds, I might say thousands, of dogs have disappeared from various communities. The question of the Constitutionality of this act has been raised and several cases arising because of this act have been appealed to the higher courts.

DAMAGE DONE BY GAME.

Game of various binds, especially deer and wild turkeys, have undoubtedly increased considerably during the past two years in various sections of this Commonwealth, and we are frequently in receipt of complaints regarding the damage done to growing crops and to trees by these animals and birds. I have personally visited some of the sections, and viewed the harm done. I have also in other cases directed a view by certain of our Protectors, and am satisfied, from what I have seen and have had reported to me, that many of the complaints made are well founded, and that some positive action should be taken by the Game Commission to, as quickly as possible, correct these conditions. Orchards, together with fields of growing oats, and buckwheat, have undoubtedly been seriously injured by deer in this State during the past year, while growing oats and buckwheat have also suffered through the presence of turkeys, and it is not fair or just that the owners of these growing crops should be compelled to have their crops destroyed without the hope of a

return. The many investigations made because of reported losses as before stated have satisfied me that all such complaints are not founded in exact truth or justice. Claims have been made for damages done by deer that a view and careful consideration of conditions prove beyond question should not be charged to that account. Trees are planted in ground or in places not suited to trees of that character; trees and grain are frequently water-killed and winter-killed; many die for various other causes; examination shows the tracks of cattle and other domestic stock in the fields where the trees or the grain or vegetables were placed, but because a deer is seen in that field or a deer track is found in the same field, the blame is placed on the deer and the State is asked to pay a bill for damage done, at most exorbitant rates.

We have had various claims presented for damage done by deer to growing corn. I have personally visited, during the past twenty years, many fields of growing corn, in which the tracks of deer were sometimes plentiful and fresh, but have never seen where a deer had eaten a blade of corn or tramped on a hill. I have talked with numbers of men of experience in the deer country regarding this condition, and have yet to find one man who will swear he has known of where a deer had eaten growing corn. Recently a bill was presented for damage done to a field said to contain nine hundred (900) cabbage plants. The report of the officers sent to investigate shows that if the plants had been set two feet apart, each way, the field might have contained that number of plants; if set three apart, as winter cabbages are usually set, the field would not hold nine hundred plants. The officers found the field so overgrown with weeds that cabbage still found in the field could not grow; weeds stood as high as their shoulders, showing that the land had not been cultivated for some considerable time. Experience in gardening teaches me that cabbages to make any growth must be cultivated, and that usually not more than one-half of the cabbages planted and cultivated grow into marketable heads. A visit to the markets also demonstrates that a fairly good head of cabbage can be purchased for five cents (5c.), and in numbers can be secured for less, yet the claim of fifty dollars from the State is made, these things altogether satisfying me that all farming in the State is not limited to a cultivation of the soil. I call this serious matter to your attention.

SHIPMENT OF GAME.

Regarding that feature of the Act of April 21st, 1915, regulating the shipment of game, I desire to say that while this provision has, and will continue to impose more or less hardship, upon legitimate

hunters who desire to send a part of their game home or to a friend while they continue in the woods, or to travel in an opposite direction, the good done through this measure far exceeds the harm done in any way. Heretofore it has been the custom of market hunters from various sections of the State, and of some who call themselves sportsmen, to go into a certain section of the State and kill all the game they could find, the limit as fixed by law meaning nothing to them; this game they shipped by parcels post or by express in covered packages, these packages in many cases bearing fictitious markings and directions; they then went into another section of the State, sometimes into another part of the same county, and repeated their performance, and so on from place to place during the entire season, sometimes killing in one week more than the limit permitted for the year, but through their methods of shipment covering their tracks in a manner that made detection almost impossible. We have in years past spent considerable effort in an attempt to punish some of these men, but usually while we were morally sure of existing conditions, we found ourselves short in the matter of *legal evidence* necessary to secure a conviction. Many sportsmen throughout the State were helping us in this matter and clearly understood the conditions against which we were compelled to contend. One gentleman told me he knew there were more than twenty packages of game sent from his home town to dealers of game in various parts of the State, and even out of the State, some of these packages being prepared and forwarded so far out of season for the game enclosed as to necessitate the killing of such game out of season, and this gentleman, with other sportsmen acquainted with conditions and the great wrong done through such procedure, not only suggested this provision, but worked for its passage in the Legislature. The arrests we have made this Fall for violation of the provisions of this section, and the fact that certain heretofore known market hunters whom we have been watching for years have this year been able to spend a day or so now and then attending to necessary work around their homes or loafing in the store, or at least out of the woods, satisfies me that this provision has resulted in much good to the cause of game protection in this State.

EQUIPMENT OF PROTECTIONS IN CHARGE OF GAME PRESERVES.

Our officers are expected to make efficient return for every dollar paid to them, and to enable them to do this, I feel that it is the duty of the State to provide as far as possible the machinery through which the most effective service can be secured.

Our Field Protectors are expected to cover efficiently not only the territory within their district, but also to assist their fellow-officers in every way possible, and to do this are allowed expenses when actually incurred in the performance of their duty, not to exceed \$900.00 annually. A very considerable item in this account is for travel, either by railroad or otherwise, that when paid is gone for all time. No one at all experienced in this line of work will dispute the assertion that through being limited to travel by rail or by livery rig, our officers are greatly handicapped and are not able to cover the territory under their charge as quickly as necessity demands, or as frequently as they would like to do, and I suggest that as soon as may be each of our officers be supplied with an automobile of such construction as may be best suited to their needs, considering the expense of operation in its various phases. It is perhaps not possible because of lack of funds to supply these machines before the next meeting of the Legislature, when an appropriation can be made for this purpose, and I call the matter to your attention at this time only for consideration.

Our Protectors in charge of preserves are required to patrol the lines of the preserve under their care. These lines around each preserve are about nine miles in length. The Preserve Keeper is expected to investigate violations of the Game Law, sometimes many miles from his home, and is expected to go quickly; he is also expected to feed game, not only inside the preserve, but also in that neighborhood during severe winter weather. To do either of these things in anything like a satisfactory manner, I feel that each Preserve Protector should be supplied with a horse and with maintenance for that horse. These men are expected to meet and extinguish forest fires that may appear, not only within the lines of the lands under their control, but also on any lands in their neighborhood, and to do this efficiently, I feel that each one should be supplied with one or more fire extinguishers and material for charging same, that carried on the back of their horse would enable the operator to do many times, in extinguishing forest fires, the work he could possibly do without such apparatus. I also recommend that each home of our Protectors, whether on or off preserves, should be brought in touch with the public through the installation of telephones, and especially should this be done on the preserves. One forest fire will undoubtedly do more harm in a few hours than can be remedied in years. The horse, the maintenance for that horse, the telephone and the fire apparatus, can be secured from our present appropriation, and should be provided as quickly as possible.

OFFICERS ASSAULTED.

We have had a number of officers assaulted during the past year, and one killed, Joseph J. McHugh, our Game Protector from Carbon County, as it appears from the evidence at our command, being deliberately and wilfully shot to death. The officer in the line of his duty, traveling through the woods on a Sunday, met a friend; the two walking along a railroad track, heard gunshots, and moving in the direction from whence the shots appeared to come, met a man with a gun and several dogs. The officer asked the man what he had killed, to which the hunter replied, "I got one." McHugh then said, "Are all these dogs yours?" to which the hunter replied, "No there is a bunch of us." By this time the officer and his companion were within five or six feet of the hunter, and McHugh said, "Unload your gun." Without another word, the hunter sprang back and fired at McHugh, the load striking him slightly above the right nipple, tearing the top of the lungs to pieces and lodging in the spinal column. The companion of McHugh sprang back a step or so with hands expanded in horror, the hunter threw his gun to his shoulder and snapped the hammer on the empty shell, the load from which had just killed McHugh; he then threw a loaded shell into the barrel and pointing his gun at McHugh's companion, said, "Throw your hands up." When this was done, he said, "Turn around and beat it." The young man obeyed this order, but when he had taken a few steps looked back over his shoulder; the hunter with the gun still pointing at him, said, "Turn your head the other way." This the young man did, and walked to a point where he thought the shot would not kill even if fired, and again looked back, finding the assailant gone. He then ran for help and to spread the alarm. The young man who did this shooting was arrested at his home in Drifton, Luzerne County, late that evening and admitted all our witness says, but claims the shooting was accidental. If you or I were to accidentally shoot a man, we would hardly attempt to kill the companion of the man killed, or drive away at the point of a gun the only help that appeared on the scene. This young man, Francis Thomas, of Drifton, Luzerne County, will be tried in the courts of Carbon County in January.

Two of the assaults before referred to were made with guns; in one of these cases occurring near Harrisburg, nothing but the presence of two armed officers and the lack of courage upon the part of the hunter, prevented a tragedy. Nothing but the pressing of a finger stood between at least one of our officers and death. After the arrest, the officers reported the case to the office, and were directed to say to the prisoner and the justice before whom he had been taken that this man had committed two offences, one resisting arrest, and the other pointing a loaded gun at the officers, that the penalty for re-

sisting arrest was fixed by the statute at one hundred dollars (\$100), the pointing of a gun was imprisonment, but that the office would not press for a conviction upon the latter charge, if the penalty as fixed by Section 4 of the Act of May 21st, 1901, P. L. 266, was paid. The justice heard the testimony of the only three present at the time of the arrest, the two officers swearing that the gun was pointed at them, that the prisoner said, "This gun is loaded; you can't touch me;" that after they told him they were officers and showed their badges, he said the same thing and kept the gun pointed at the breast of one of the officers, surrendering only after the officers drew their revolvers and said this man must submit to arrest. The defendant did not attempt to deny this, still the justice discharged the prisoner, not upon the ground that our officers had failed to prove their charge, but upon the ground that said officers were drunk. The justice then issued a warrant for our officers, charging extortion; the grand jury at Carlisle promptly ignored the bill. In the meantime, friends of the defendant came before me and made the charge that the officers were drunk at the time this arrest was made. To this I replied that I would investigate and discharge these men at once, if the charge was sustained; that the Game Commission would not under any condition of circumstances permit drunkenness. I have carefully investigated this charge; I called the two Protectors before me separately and questioned each closely, find their statements to agree that they left Harrisburg before daylight of the day upon which his arrest was made, that neither of them had a drink of either spirituous or malt liquor or wine before they started, and that neither had a bottle of liquor of any kind with them; that because it was raining hard they stopped at a house, from which they could see persons going or coming from the woods, where violations of the Game Laws were supposed to be enacted; that sometime during the morning the owner of the house gave each officer a tin of sweet cider, and that they had no other drink of anything that day. The arrest occurred late in the afternoon, perhaps five or more hours after the cider had been given them.

The man who gave them the cider told our representative sent to interview him that these men had come to his house early in the morning; that he was close to them; that they were not drunk and showed no evidence of having had a drink; that they did not even smell of liquor. He said, "I have a good nose for liquor and if they had been drinking, I would have known it. I gave them each a tin of sweet cider sometime in the morning; the cider had been made about five days." Mr. Wood of the office says that when these two officers reported the case and asked for instructions, about five or half past five in the afternoon, and perhaps half an hour after the

arrest was made, that they were both close to him, and that he talked with both for several minutes and knows neither was drunk. He asserts they did not have even the smell of liquor about them. He, Mr. Wood, heard what they had to say, looked up the law and said, "If this man is willing to pay the penalty fixed by law for resisting arrest, I think it will be all right to let it go at that. The office is disposed to temper justice with mercy as far as is possible. You are directed to do this and to show to the justice the law regarding this matter."

This investigation satisfies me that the charge against our Protectors has not been sustained and that the whole effort in this direction was resorted to in the hope that our office might be bluffed into the abandonment of this case. I, therefore, under the belief that if efficient and energetic service was to be expected at the hands of our officers, we in turn must defend those officers in the discharge of their duties to the limit, in so long as they were right, called upon the office of the Attorney General, and was instructed to proceed against this defendant under the double charge of resisting arrest and pointing a loaded gun at the officer, and to have the matter pressed to a conclusion where both sides might be heard.

One of these protectors in the before stated case, Albert Baum, and his brother, Charles Baum, one of our paid officers, in the line of their work seized the skin of an eagle last fall in Mifflin County, the eagle being protected in this State, the law imposing a penalty upon the one who might kill one of these birds or be possessed of any part of such bird, the Supreme Court of our State and of the Nation holding that wild creatures, game or otherwise, belonged to the State in which they might be found, and that the capture or killing of such wild creatures contrary to law in no way conveyed a property right to the one who might illegally possess himself of such creature, but that instead the title to such creature still remained in the State. We in turn, when the eagle in question was delivered to us by our officers, immediately surrendered same to the State Museum where it has since remained. Under the direction of the District Attorney of Mifflin County and in face of instructions from the office of the Attorney General that the eagle was a protected bird in Pennsylvania, and as such belonged to the State and could not under the law become the property of the man who killed it contrary to law, and could not be the subject of larceny, as between the State or her legal representatives and the one who had illegally killed the bird, the gentleman who killed this eagle pressed the case to trial; and the jury in the face of the charge of the court to the effect that the eagle was protected in Pennsylvania, and if it was established that the men who had taken this bird were officers of

the State and had seized the eagle in the line of duty for the State, and not as individuals, there could be no conviction, the jury did convict, and our attorney immediately filed reasons for a new trial. The judge in a decision recently handed down declares that the eagle is a protected bird in Pennsylvania, fixes the ownership of such bird in the Commonwealth, and directs that a verdict of "Not Guilty" be entered.

I am citing this as an illustration of what we must contend against, and that we must defend our officers when they are right, otherwise they will be driven from the field.

VIOLATORS OF THE LAW.

Because of the increase of our force of game protectors from twenty to fifty, we have been able to render this year much more effective service than heretofore, and have succeeded in catching and punishing numbers of habitual violators of the Game Laws.

That feature of the new law forbidding the shipment of game through the Parcels Post, and requiring the owner to accompany all game transported by common carriers, while undoubtedly imposing some hardship upon a few sportsmen, to a great extent has prevented the shipment of game for the market, and in other ways done far more good than harm. We have caught and punished several men who were violating this provision.

We have this year found the first man attempting to violate the Game Preserve Law of this Commonwealth. The man arrested was caught in the act of killing a deer in the Centre County preserve, and gave his name as Harry Klickner, of Tamaqua. He was sentenced to pay a penalty of \$100.00, or to be imprisoned 100 days. He was sent to the Bellefonte jail.

Our officers have found venison in a number of camps, those in possession of same being unable to display the head bearing horns as is required by law in such cases, having been or will be arrested, and this matter pushed to a decision by the Supreme Court. We contend that as the law imposes a penalty upon each and every person who may either kill a deer illegally or who may be possessed of any part of a deer killed or taken illegally, that each and every man in a camp where the flesh of a deer was found, and especially every man in said camp who has been using such flesh for food, is liable to the full penalty imposed by law for such offense.

NEW BOUNTY LAW.

Under the provisions of the Act of April 15th, 1915, relating to bounties, it is made the duty of the Secretary of the Game Commission to certify to the Auditor General at least once a month such

claims for bounty as might be presented to this office. This we have done from month to month, the claims being forwarded to the office of the Auditor General within ten days after the end of each month, and in so far as this office is concerned the new provision is working well, but, we are almost daily in receipt of complaints from claimants for bounties to the effect that their claims presented to us as long ago as in July and August have not been paid. This condition reflects seriously upon the Game Commission, as we although absolutely blameless are charged with this delayed payment. Investigation demonstrates that the delay is caused by lack of clerical force in the State Treasury, and that that Department is issuing checks in payment of these claims when the routine of daily work has been finished. This, it seems to me, should not be, and I am citing the matter at this time for your information.

REDUCED NUMBER OF RESIDENT HUNTER'S LICENSES.

As the open season for game in this State closes for 1915, it appears that the number of Resident Hunter's Licenses issued in certain counties this year is considerably short of the number issued in the same counties last year, and especially is this the case in some of our western counties, notably Allegheny County, and the reason is three-fold.

First, because many of the men working in the iron and steel mills of that section have had steady employment and have chosen to remain at work rather than to go hunting.

Second, because of the reduced length of the season for rabbits as compared with last year, and the provision of law forbidding the sale of rabbits killed in this Commonwealth, numbers of men, who hunted rabbits for the market, have lost interest in hunting.

Third, because of the delay in the payment of bounties by the State Treasurer. Many men who last year took a license and killed a small quantity of game, while killing a larger quantity of vermin, for which they expected and deserve a bounty, have become discouraged and have not cared to go hunting at all. This, to my mind, is most unfortunate, as I believe the one who kills a weasel, or a wild cat, or a fox has done a work of special value to the State, and is as much entitled to a prompt payment of his claim as is any other creditor of the Commonwealth. The money wherewith to meet these claims is in the State Treasury, placed there by sportsmen for this special purpose and there should be some method conceived whereby a more prompt settlement of these demands could be made.

A PANTHER AND WOLVES IN PENNSYLVANIA.

In my boyhood I heard wolves howl among the mountains near Ralston, Lycoming County, and until recently believed these animals, with the panther, had long since been exterminated. A short time ago a hunter called at the office in Harrisburg and told of seeing a number of gray foxes in pursuit of deer in Clinton County; he said he and a Game Protector had heard the animals' tonguing, and through their glasses had seen both the deer and the foxes in pursuit on a mountain opposite from where they, the hunters, were located. I thought I knew something about foxes; I had never known them to run in packs during daylight, or to give tongue in pursuit of game, so set the story down as a fabrication pure and simple, but a few days later we received a letter from our Game Protector said to have seen the chase, and the Protector told the same story, and a few days later received a letter from a man in Clinton County who claimed he had killed a wolf. This story we were also inclined to doubt and wrote asking that the skin of the animal be sent to this office and this was done. The skin was undoubtedly the skin of a wolf; the hair is wooly and somewhat softer than the hair of the timber wolf of the West, otherwise it greatly resembles the timber wolf. This animal was killed but a few miles from where the foxes were reported to be running deer, and I am disposed to believe that what were supposed to be foxes were in reality wolves. The skin of this wolf is now in the hands of the State Taxidermist to be mounted for the Public Museum at Harrisburg.

From Pike County comes the report of a panther, the animal having been plainly seen by several different people. One gentleman and his wife while trout fishing saw the animal crouched on a limb, as they said, "lashing its long tail"; another party saw this panther at night crossing the road ahead of their automobile; still a third party has reported the animal yellow and long with a tail almost as long as the body, so that there appears to be but little doubt about the presence of both panther and wolves in a wild state in Pennsylvania, and I have directed our officers in charge of the territory where these animals are presumed to be, to use their utmost endeavor when the snows come to locate and kill every one that can be found. The question in my mind is, where did these animals come from?

QUESTION OF GAME SHIPMENT.

I have already made mention of the new law forbidding the shipment of game unless accompanied by the owner of the game, and now call that matter again to your attention, because there appears to be a movement on foot in certain sections of the State,

that if successful, will to my mind, not only nullify the purpose of this provision, but will also place upon the State a bill for printing that will be far above the value of any benefit that may come through such action; it will more than double the work of County Treasurers who now issue the Resident Hunter's Licenses, and who are even at this time complaining of the labor they are compelled to perform for 10 cents, and it will more than double the work of the Game Commission in this branch of our work, and to no effect except to again open the doors to the market hunter. In one suggestive bill I have seen it is proposed to issue not less than twenty shipping tags with each license, to require this man and that man to sign same, to return same to the office of the Game Commission at Harrisburg and to make it the duty of the Game Commission to see that this is done. To attend to this branch of the work would require the services of at least ten additional clerks in the office, and more than double the work of the field force. The bill provides that the Game Commission shall keep these shipping tags for reference for a period of two years. We have 400,000 hunters, 20 shipping tags to each one means 8,000,000 tags to be handled by the State Printer, by the several County Treasurers of the State, and 16,000,000 by this office, to be listed and stored for reference; ten additional rooms such as we now occupy would not hold the part of these permits that might be returned to us, and if they were to be kept in files so that they could be reached for reference, think of the expense of files and labor necessary to do this thing; the work imposed upon this office by the new bounty provisions is nothing as compared with this.

In another part of this Report I state that in my opinion game has reached that condition in this State where its use for a food supply, either by the man who kills it or by the man who heretofore has secured his supply of game through the markets, means the extermination of game. Just as surely as have the buffalo and the wild pigeon gone, so will all other game disappear if the sale of game is continued, and while this proposed bill may mean some slight benefit to a few, it means the sale of game in great big letters and nothing else. Twenty permits or more to the market hunter to ship to his friends or to his home; how will the Game Commission follow this game after it is delivered, to see that it does not reach the open market, or the club, or the gentleman who gives a gun, or a suit of hunting clothes, or a few hundred shells to his friend in the country? He, of course, expects nothing, but after a while a box of quail, or of grouse, or a wild turkey, comes from that friend. Why not, and how is anyone to tell what course this game takes later on? This provision relating to the shipment of game has done more to prevent the sale of game than all the other provisions on our books combined.

This bill as now proposed means pleasure to a few for a while, and then the end, because there will be no game to ship, and why should a sportsman send his game home before he goes. His family have waited at least eleven months without game; is it a matter of life or death that they should add another thirty days to that time? They wish to send a present to some one, a dear friend, seldom a poor man, usually a man in some influential position, that the giver hopes to use later on or has already used. What is the difference in this matter in so far as game increase is concerned, whether game is sold for influence or for a dollar in cash? In my opinion our game has reached a stage in this State where its distribution through gifts frequently means as much as it means through sale. If it is desired to sell our game, it would be better to repeal that part of the Act of April 21st, 1915, forbidding the shipment of game except when accompanied by the owner.

QUAIL DISEASE.

I have already mentioned in this Report the effort we were making to procure certain game, especially quail, for propagating purposes in this State, and thought we would surely be able to release ten or more thousand of these birds next Spring in this Commonwealth. Our first shipment, in the neighborhood of 175 birds, were landed at the port of New York direct from Mexico; some few of our birds had died enroute, and we were about to congratulate ourselves on the result of our effort, when the birds in our hands began to die rapidly from some, to us, unknown cause. Some of the dead birds were at once forwarded to the Veterinarian Department of the University of Pennsylvania, and some to the Department of Animal Industry, Washington, D. C., and from both places came the report that lesions in the intestines and liver strongly indicate the dread quail disease, known as "Coccidiosis", and I am extremely fearful that further importation of quail from Mexico will be stopped. I have arranged with the Veterinarian Bureau of the Department of Agriculture of Pennsylvania to receive and hold in quarantine at their State Farm near Clifton, Delaware County, Pa., such birds as we may receive in the near future from Mexico. If the birds develop disease our shipments will at once be stopped, as we cannot afford to scatter disease among the wild birds in this State. As I understand it, this disease runs its course in about two weeks. If, therefore, we can save a reasonable number of the birds secured, it appears to me our importations should be continued; if we lose beyond a reasonable number, say fifty per cent. of the birds, I think our representative in Mexico should be recalled at once. If we find it impossible to secure quail for propagating purposes, then it seems

to me to be imperative, if our quail are to be perpetuated, to declare a close season for quail in this State for a term of years, and to so arrange that when the quail season is again opened in this State, that both the bag-limit and the length of the open season shall be reduced. I am satisfied that our game birds, neither quail, nor grouse, nor turkeys, can stand a longer annual season than four weeks.

PUBLIC ADDRESSES.

During the past year I have delivered numerous public addresses regarding the value of hunting, to men who may select to engage in that pasttime, and the value of the life-work of birds to all the people, and I am pleased to say that in my opinion both these subjects are far better understood today than they have ever been, and because of that knowledge are receiving far better support from the people than ever before in the history of this Commonwealth. I have been addressing organized sportsmen, teachers' institutes, school children, and others, in every place where opportunity offered; during the latter part of October I addressed at Wilkes-Barre those ladies attending the conference of the Confederated Women's Clubs of this State, with the result that I am already in receipt of invitations to speak during the coming winter before nineteen of the local clubs belonging to that organization, and to many schools.

MEN KILLED AND WOUNDED.

Reports received to date show that twenty-nine (29) men were killed and one hundred and ten (110) wounded during the hunting season just closed in this State; thirty-one (31) were killed and ninety-nine (99) wounded in the State during the open season of 1914.

GAME KILLED.

We are not in position to give exact figures at this time regarding the number of game animals or birds killed during the season just closed, but from reports received up to this date we believe that from 1,800 to 2,000 male deer, with antlers extending at least two inches above the hair, have been killed this season; about 800 heads of sufficient size to be looked upon as trophies have been reported as received by taxidermists in the State. We believe that from 60 to 100 female deer were killed illegally; quite a number of those killing does contrary to law have paid penalties. Two elk were reported as killed; one man has already paid the penalty, \$200.00, for this offense.

We believe that about 250 bear were killed in this State during the season just passed; this is about 200 less than were killed last year.

Fully 1,500,000 rabbits were killed, this number being 500,000 less than were killed in 1914. This I believe was because of the shorter season, one month instead of two, and also because rabbits could not be sold.

Squirrels were quite abundant last fall and fully 600,000 or more of these animals were killed.

About 400,000 ruffed grouse were shot, this being about the number killed in 1914, and between 3,500 and 4,000 wild turkeys were killed in this State, this number being two or more times the number killed in any two years in this State for many years. This increase in turkeys is directly attributable to the close season of two years just passed. Our hunters secured about 30,000 quail. Many sportsmen refused to shoot quail during the past two seasons. Fully 25,000 woodcock were killed, more than 15,000 raccoons and about 3,000 wild waterfowl were secured, altogether making quite a creditable showing, not only as a source of food supply, but also as an incentive to outdoor exercise and training in the use of guns, especially accuracy in shooting.

FINANCIAL STATEMENT.

You will note that quite a sum in dollars and cents has been collected during the past year from violators of the game laws, and has been placed in the State Treasury.

GENERAL FUND.

Quarter from December 1st, 1914 to February 28th, 1915.

DR.

To balance from last quarter,	\$1,612 10	
To warrant on appropriation,	4,375 00	
To expense returned,	5 07	
To penalties and costs collected,	2,867 55	
To proceeds of guns sold,	15 00	
To proceeds of taxidermists licenses,	40 00	
To proceeds of propagating licenses,	7 00	
To proceeds of special license,	1 00	
		<hr/>
		\$8,922 72

CR.

By deposits in State Treasury,	\$2,930 55	
By expenses for quarter,	6,426 37	
		<hr/>
		\$9,356 92
		<hr/>
Balance, (Overdrawn, checks held),		\$434 20

Quarter from March 1st to May 31st, 1915.

DR.

To warrant on appropriation,	\$4,375 00	
To expenses advanced and returned,	25 00	
To penalties and costs collected,	1,257 89	
To proceeds of guns sold,	25 75	
To proceeds of ferret dealers' licenses,	75 00	
To proceeds of taxidermists licenses,	7 00	
To proceeds of propagating licenses,	4 00	
To proceeds of ordinary licenses,	2 00	
To proceeds of special licenses,	2 00	
		<hr/>
		\$5,773 64

CR.

By balance, overdrawn, checks held,	\$434 20	
By deposits in State Treasury,	1,373 64	
By expenses for quarter,	2,517 80	
		<hr/>
		\$4,325 64
		<hr/>
Balance,		\$1,448 00

Quarter from June 1st to August 31st, 1915.

DR.

To balance from last quarter,	\$1,448 00	
To warrants on appropriation,	8,333 32	
To penalties and costs collected,	1,174 49	
To proceeds of guns sold,	29 60	
To proceeds of taxidermists licenses,	10 00	
To proceeds of propagating licenses,	2 00	
To proceeds of ordinary licenses,	4 00	
To proceeds of special license,	1 00	
To proceeds of ferret dealers license,	25 00	
To proceeds of ferret owners licenses,	8 00	
		<hr/> \$11,035 41

CR.

By deposits in State Treasury,	\$1,254 09	
By expenses for quarter,	8,075 66	
		<hr/> \$9,329 75
Balance,		<hr/> \$1,705 66

Quarter from September 1st to November 30th, 1915.

DR.

To balance from last quarter,	\$1,705 66	
To warrants on appropriation,	12,500 00	
To expenses advanced and returned,	264 09	
To penalties and costs collected,	5,603 16	
To proceeds of guns sold,	126 95	
To proceeds of taxidermist licenses,	61 00	
To proceeds of ferret owners licenses,	14 00	
To proceeds of ferret dealers licenses,	50 00	
To proceeds of propagating licenses,	4 00	
To proceeds of non-resident licenses,	20 00	
To proceeds of ordinary license,	1 00	
To proceeds of special license,	1 00	
		<hr/> \$20,350 86

CR.

By deposits in State Treasury,	\$5,881 11	
By expenses for quarter,	11,250 61	
		<hr/> \$17,131 72
Balance, December 1st, 1915,		<hr/> \$3,219 14

PRESERVE FUND.

Quarter from December 1st, 1914 to February 28th, 1915.

DR.

To balance from last quarter,	\$845 61	
To warrants on appropriation,	3,759 00	
		\$4,604 61

CR.

By expenses for quarter,	\$4,918 37	
		\$4,918 37
Balance, overdrawn, checks held,		\$313 76

Quarter from March 1st to May 31st, 1915.

DR.

To warrants on appropriation,	\$16,875 00	
To refunds on grain fed game,	151 77	
		\$17,026 77

CR.

By balance from last quarter, overdrawn,	\$313 76	
By expense for quarter,	12,843 86	
		\$13,157 62
Balance,		\$3,869 15

Quarter from June 1st to August 31st, 1915.

DR.

To balance from last quarter,	\$3,869 15	
To warrant on appropriation,	3,750 00	
		\$7,619 15

CR.

By expenses for quarter,	\$7,710 76	
		\$7,710 76
Balance, overdrawn, checks held,		\$91 61

Quarter from September 1st, to November 30th, 1915.

DR.

To warrants on appropriation,	\$8,124 79	
To refund on advertising account,	80	
	<hr/>	\$8,125 59

CR.

By balance from last quarter, overdrawn,	\$91 61	
By expense for quarter,	6,380 70	
	<hr/>	\$6,472 31
Balance, December 1st, 1915,		<hr/> \$1,653 28

Respectfully submitted,

JOSEPH KALBFUS,
Secretary.